

FILED

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

MAR 19 1999

PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

IN RE:
INTERNATIONAL HERITAGE, INC.

Debtor.

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CASE NO.: 98-02675-5-ATS
CHAPTER 7

**MOTION TO CONTINUE HEARING ON
MOTION FOR RELIEF FROM AUTOMATIC STAY
FILED BY L.C. GILBERT**

NOW COMES Stanley H. Van Etten (hereinafter "Mr. Van Etten"), by and through counsel, and moves the Court to continue the hearing on the Motion for Relief from Automatic Stay filed by L.C. Gilbert, which hearing is currently scheduled for March 24, 1999. In support of this motion, counsel for Mr. Van Etten states as follows:

1. On February 23, 1999, counsel for L. C. Gilbert filed with the Court a motion seeking relief from the stay in the above-captioned matter. On February 25, 1999, the Trustee responded to and objected to said motion. On March 10, 1999, Mr. Van Etten, by and through counsel, filed a response and objection to said motion. The Clerk of Court has subsequently scheduled a hearing on the motion of L. C. Gilbert for 9:30 a.m. on March 24, 1999.

2. Prior to the Clerk of Court scheduling a hearing on the Motion of Mr. Gilbert and serving the same upon the undersigned counsel for Mr. Van Etten, counsel for Mr. Van Etten in proceedings currently pending against the Debtor and Mr. Van Etten scheduled a series of depositions in New York and Washington for March 24th and March 25th. Arrangements have been made to conduct the deposition of an expert in New York on March 24th and, prior to returning to Raleigh, a deposition of a crucial witness in the same case on March 25th. Counsel for several parties are involved in the scheduling of these depositions and it would be difficult and expensive to make alternative arrangements.

3. Counsel for Mr. Van Etten, by and through the undersigned, contends that it is imperative that he participate significantly in the hearing scheduled on the motion for relief from automatic stay filed by counsel for Mr. Gilbert. Mr. Van Etten is a co-defendant in the action filed by Mr. Gilbert against the Debtor and others.

4. The undersigned has communicated with counsel for Mr. Gilbert and the Trustee, both of whom have consented to continuing the hearing on the motion for relief from automatic stay.

5. For the benefit of the Court and all parties, the undersigned has communicated with the Trustee's paralegal and counsel for Mr. Gilbert and determined that those parties can be available for a hearing either on April 14 or 15, 1999.

WHEREFORE, Mr. Van Etten prays that this Court continue the hearing on the motion for relief from automatic stay filed by L. C. Gilbert from the term of Court beginning March 24, 1999, and reschedule the same for March 31, 1999, or some other time convenient to the Court, and grant such other and further relief as the Court deems appropriate.

This the 9 day of March, 1999.


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CERTIFICATE OF SERVICE

I, Brent E. Wood, attorney for Stanley H. Van Etten, certify that I served the foregoing document on the 19 day March, 1999, upon the following parties, and in the manner below specified, by placing a copy thereof for each such party(ies) in a separate envelope bearing sufficient postage and depositing the same in the United States mail at Raleigh, North Carolina and/or by facsimile:

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Attorney for Debtor

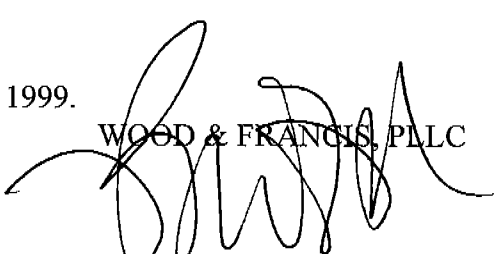
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This the 19 day of March, 1999.

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